

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND, )  
                                          )  
Plaintiff, )                                 C.A. No. 04cv11454 GAO  
v. )  
                                          )  
THE 357 CORP. )  
                                          )  
Defendant. )  
                                          )

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**MOTION FOR ENTRY OF JUDGMENT**

On January 14, 2005, Plaintiff filed a Motion For Partial Summary Judgment On Count II of the Complaint. No opposition has been filed by the Defendant. Plaintiff requests that the court grant its motion and issue a Judgment and Order as requested in the Motion. A draft Judgment and Order is attached hereto.

Dated: June 7, 2005

Respectfully submitted,

/s/Catherine M. Campbell  
Catherine M. Campbell  
BBO #549397  
FEINBERG, CAMPBELL & ZACK, P.C.  
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Boston, MA 02109  
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**Certificate of Service**

I, Catherine M. Campbell, hereby certify that I caused a copy of the foregoing to be mailed this day by U.S. first-class mail to Geoffrey P. Wermuth, Esq., Murphy, Hesse, Toomey & Lehane, LLP, World Trade Center East, Two Seaport Lane, Boston, MA 02210.

Date: June 7, 2005

/s/Catherine M. Campbell  
Catherine M. Campbell